

The Order of Court is stated below:

Dated: April 02, 2015  
10:57:08 AM

/s/ Laura Scott

District Court Judge



David J Friel, Bar No. 6225  
Attorney for Petitioner  
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IN THE THIRD JUDICIAL DISTRICT COURT  
OF SALT LAKE COUNTY, STATE OF UTAH

ROBYN HOWELL,

Petitioner,

vs.

DANNY J HOWELL,

Respondent.

**DECREE OF DIVORCE**

Civil No. 144905583DA

Judge: Laura Scott  
Commissioner: Joanna Sagers

Petitioner, Robyn Howell, by and through counsel, David J Friel, has submitted all necessary documentation to finalize this matter and Findings of Fact and Conclusions of Law have previously been entered. Therefore, the Court hereby enters this Decree of Divorce and it is ordered that:

**ORDER**

**Provisions Relating to Jurisdiction**

1. The Petitioner is a bona fide resident of Salt Lake County, state of Utah, and has been for three months immediately prior to the filing of this action.

2.This Court has jurisdiction over this matter pursuant to, among other authorities, Utah Code Ann. § 30-3-1 (regarding divorces), Utah Code Ann. 78A-5-102 (general jurisdiction of district courts), and Utah Code Ann. 78B-14-101 *et seq.* (the Uniform Interstate Family Support Act ("UIFSA")), and Utah Code Ann. §§ 78B-13-101 *et seq.* (the Uniform Child Custody Jurisdiction & Enforcement Act ("UCCJEA")).

Venue is proper in this District Court under, among other authorities, Utah Code Ann. § 78B-3-307 and Utah Code Ann. § 30-3-1.

3.The Petitioner and the Respondent were married on September 27, 1985 at Salt Lake City, Utah and are presently married. The parties separated in September, 2014. The Petitioner is awarded a Decree of Divorce from the Respondent and the marital contract previously entered is hereby dissolved.

#### Provisions Relating to Grounds

4.During the course of the marriage the parties have experienced difficulties that cannot be reconciled that have prevented the parties from pursuing a viable marriage relationship.

#### Provisions Relating to the Children of the Parties

5.The parties have two children who currently are under the age of eighteen (18) years old: A.N.H., date of birth [REDACTED], and S.H., date of birth is [REDACTED].

6. It is ordered that the Petitioner is a fit and proper person to be awarded the permanent care, custody and control of the minor children of the parties. The

parties will exercise parent time as they agree. Neither party is employed and income should be imputed to both parties at the minimum wage amount.

7. Pursuant to U.C.A. 78B-12-301 et seq. (1953 as amended) it is ordered that the Respondent pay to the Petitioner as and for child support:

a. \$400.00 each month as base support for the minor child of the parties, pursuant to the Uniform Child Support Guidelines until said child becomes 18 years of age, or has graduated from high school during the child's normal and expected year of graduation, whichever occurs later. Specifically, Respondent's long-term disability provider, Sun Products Corporation, has Matrix Absence Management issue checks by Reliance Standard. Sun Products and Matrix and Reliance will issue support checks directly to Petitioner as part of the long-term disability of the Respondent in the amount of \$400.00 per month beginning February, 2015.

b. It is ordered that the base child support award shall be reduced by 50% for each child for time periods during which a child is with the noncustodial parent by order of the court or by written agreement of the parties for at least 25 of any 30 consecutive days or 25% for each child for time periods during which the child is with the non-custodial parent by order of the court, or by written agreement of the parties for at least 12 of any 30 consecutive days of extended parent time. If the dependent child is a recipient of Aid to Families with Dependent Child, any agreement by the parties for reduction of child support during extended visitation shall be approved by the Office of Recovery Services. However, normal visitation and holiday visits to the custodial parent shall not be considered an interruption of the consecutive day requirement.

c. It is ordered that the obligee (custodial parent) shall be entitled to mandatory income withholding relief pursuant to U.C.A. 62A-11 Parts 4 and 5 (1953 as amended) and subject to an additional \$10.00 check processing fee to be included in the amount withheld and paid to the Office of Recovery Services. This income withholding procedure applies to existing and future payors, and all withheld income shall be submitted to the Office of Recovery Services.

Provisions Relating to Debts and Obligations

8. It is ordered that the Respondent assume and pay, and hold the Petitioner harmless from liability on, all debts and obligations incurred by the Respondent. It is ordered that Petitioner be responsible for debts in her name.

Provisions Relating to Personal Property

9. During the course of the marriage relationship, the parties acquired certain items of personal property. It is ordered that said personal property be distributed as has already been divided, with the exception of Respondent's personal effects and Respondent's tool and flat screen TV and dresser.

Provisions Relating to Real Property

10. During the course of the marriage the parties acquired certain real property:

a. A home located at: [REDACTED] Salt Lake City, Utah, 84170.

b. It is ordered that the Petitioner be awarded exclusive use and possession of the home and real property. It is ordered that the Petitioner receive all equity in the marital home and that Respondent will sign a Quit Claim Deed immediately

putting the home into Petitioner's name solely.

#### Provisions Relating to Medical Insurance

11. There is currently no medical insurance coverage over the Petitioner or the Respondent, and it is ordered that the statute will apply in relation to medical insurance and expenses for the children.

#### Provisions Relating to Alimony

12. It is ordered that no alimony be awarded from one party to the other.

#### Provisions Relating to Pension and Related Assets

13. The Respondent has pension and/or profit sharing plans or other retirement benefits through Respondent's place of employment. It is ordered that the Petitioner receive one-half ( $\frac{1}{2}$ ) of all benefits accrued pursuant to such plans during the marriage. Specifically, Petitioner will be entitled to one-half ( $\frac{1}{2}$ ) of any and all retirement monies that were accumulated by the Respondent. Respondent has already cashed out his 401(k) retirement. Since Respondent received all of his 401(k) retirement and in lieu of Petitioner receiving her one-half ( $\frac{1}{2}$ ) of Respondent's 401(k), it is ordered that Petitioner is entitled to all equity in the marital home, as well as the house itself.

#### Miscellaneous Provisions

##### Taxes

14. It is ordered that the Petitioner and the Respondent file a joint income tax return for the year 2014. Any income tax refund received for said year will be

received by the Petitioner and Petitioner will be entitled to claim the children as tax exemptions.

#### Attorney's Fees

15.It has been necessary for the Petitioner to secure the services of an attorney to represent the Petitioner in this action and it is ordered that the parties each pay their own attorney fees and costs.

#### Other

16.It is ordered that the Petitioner be restored the use of her former name, if she so desires.

17.It is ordered that each party execute and deliver to the other such documents as are required to implement the provisions of the Decree of Divorce.

18.It is ordered that Petitioner is entitled to the tax refund check in the amount of \$4,107.00 and the parties will use some of these proceeds to pay the mediator.

19.It is ordered that the parties' joint bank account at Zion's Bank, account [REDACTED] shall be taken out Respondent's name and Petitioner shall solely be on this account.

END OF DOCUMENT

[Effective when digitally signed by the Court at the top of page one.]

**NOTICE PURSUANT TO RULE 7(f)(2) OF THE UTAH RULES OF CIVIL**

**PROCEDURE TO THE PARTIES AND THEIR COUNSEL**

NOTICE IS HEREBY GIVEN that pursuant to Rule 7(f)(2) of the Utah Rules of Civil Procedure that this document prepared by the Petitioner shall be the Order of the Court unless you file an Objection in writing within seven (7) days from the date of the service of this Notice.

**CERTIFICATE OF MAILING AND E-FILEING NOTICE**

I hereby certify that I caused to be e-filed and mailed a true and correct copy of the foregoing document on this 10th day of March, 2015 by United States mail, first class, postage pre-paid, to:

Danny Howell  
P. O. Box 70036  
West Valley City, UT 84170

/s/ David Friel

Howell.DEC

The Order of Court is stated below:

Dated: March 24, 2015  
11:49:26 AM

/s/ Laura Scott

District Court Judge



David J Friel, Bar No. 6225  
Attorney for Petitioner  
River Park Executive Suites  
10808 S. River Front Parkway, Suite 3106  
South Jordan, UT 84095  
Telephone: (801) 984-8081  
Email- davidjfriel@hotmail.com

IN THE THIRD JUDICIAL DISTRICT COURT

OF SALT LAKE COUNTY, STATE OF UTAH

ROBYN HOWELL,  Petitioner,  vs.  DANNY J HOWELL,  Respondent.	<b>MILITARY SERVICE ORDER</b>  Civil No. 144905583DA  Judge: Laura S. Scott Commissioner: Joanna Sagers
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Pursuant to the above affidavit and the Servicemembers Civil Relief Act, the Court  
ORDERS that:

XX 1. The Plaintiff does not need to file a bond.

☐ 2. The Plaintiff must file a bond in the amount of \$\_\_\_\_\_.

☐ 3. The Court appoints \_\_\_\_\_ as attorney to represent the Respondent.

END OF DOCUMENT

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